

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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|   |                        |                       |
|---|------------------------|-----------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/683880-Conf. #7888 |
|   | Filing Date            | October 9, 2003       |
|   | First Named Inventor   | Kun Ping LU           |
|   | Art Unit               | 1642                  |
|   | Examiner Name          | Not Yet Assigned      |
|   | Attorney Docket Number | BIZ-045CPCN           |
| Total Number of Pages in This Submission  |                        |                       |

**ENCLOSURES (Check all that apply)**

|   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment/Reply<br><br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Part 2 Copy of Notice (2 pgs)<br>Copy of DPOA (7 pgs)<br>Copy of date-stamped postcard indicating receipt of DPOA (1 pg)<br>Return Receipt Postcard<br>Certificate of Express Mailing (1 pg) |
| <b>Remarks</b>  |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                         |          |        |
|--------------|-------------------------|----------|--------|
| Firm Name    | LAHIVE & COCKFIELD, LLP |          |        |
| Signature    |                         |          |        |
| Printed name | Cynthia L. Kanik, Ph.D. |          |        |
| Date         | May 3, 2005             | Reg. No. | 37,320 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV608866778US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 3, 2005

Signature: (Cynthia L. Kanik, Ph.D.)



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|  |                      |                          |                       |
|--|----------------------|--------------------------|-----------------------|
| <b>Effective on 12/08/2004.</b><br>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). |                      | <b>Complete if Known</b> |                       |
| <b>FEE TRANSMITTAL</b><br><b>For FY 2005</b>   |                      | Application Number       | 10/683880-Conf. #7888 |
|  |                      | Filing Date              | October 9, 2003       |
|  |                      | First Named Inventor     | Kun Ping LU           |
|  |                      | Examiner Name            | Not Yet Assigned      |
|  |                      | Art Unit                 | 1642                  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27                             | Attorney Docket No.  | BIZ-045CPCN              |                       |
| <b>TOTAL AMOUNT OF PAYMENT</b>   | <b>(\$)</b> 4,550.00 |                          |                       |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 12-0080 Deposit Account Name: Lahive & Cockfield, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   | 790.00         |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description                                    | Small Entity        |                     |
|--|---------------------|---------------------|
|  | Fee (\$)            | Fee (\$)            |
| Each claim over 20 (including Reissues)            | 50                  | 25                  |
| Each independent claim over 3 (including Reissues) | 200                 | 100                 |
| Multiple dependent claims                          | 360                 | 180                 |
| <b>Total Claims</b>                                | <b>Extra Claims</b> | <b>Fee (\$)</b>     |
| 20   | -20 = 0             | x 50.00 = 00.00     |
| <b>Indep. Claims</b>                               | <b>Extra Claims</b> | <b>Fee (\$)</b>     |
| 11   | -3 = 8              | x 200.00 = 1,600.00 |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof     | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| _____        | _____        | _____ /50 _____ (round up to a whole number) x _____ | _____    | _____         |

**4. OTHER FEE(S)**

Other (e.g., late filing surcharge): 2255 Extension for response within fifth month 2,160.00

|                     |                         |                  |        |           |                |
|---------------------|-------------------------|------------------|--------|-----------|----------------|
| <b>SUBMITTED BY</b> |                         | Registration No. | 37,320 | Telephone | (617) 227-7400 |
| Signature           |                         | (Attorney/Agent) |        | Date      | May 3, 2005    |
| Name (Print/Type)   | Cynthia L. Kanik, Ph.D. |                  |        |           |                |

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Dated: May 3, 2005

Signature: (Cynthia L. Kanik, Ph.D.)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

05-05-05  
 IFW

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/683,880         | 10/09/2003             | Kun Ping Lu           | BIZ-045CPCN            |

00959  
 LAHIVE & COCKFIELD, LLP.  
 28 STATE STREET  
 BOSTON, MA 02109



CONFIRMATION NO. 7888

## FORMALITIES LETTER



\*OC000000014021735\*

Date Mailed: 10/07/2004.

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/06/2005 MWOLDGE1 00000087 120080 10683880

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 790.00 DA  
 02 FC:1051 130.00 DA  
 03 FC:1201 1600.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 395 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1617** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$2077** for a Small Entity


- **\$395** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1617**
  - **\$792** for **18** independent claims over 3.

- \$675 for 75 total claims over 20.
- \$150 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

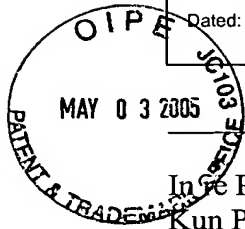
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Dated: May 3, 2005

Signature: 

(Cynthia L. Kanik, Ph.D.)

Docket No.: BIZ-045CPCN  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kun Ping Lu *et al.*

Application No.: 10/683880

Confirmation No.: 7888

Filed: October 9, 2003

Art Unit: 1642

For: PIN1 AS A MARKER FOR ABNORMAL  
CELL GROWTH

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

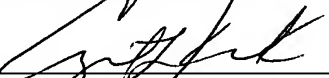
In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed October 7, 2004, Applicant respectfully submits a Petition for Extension of Time, a First Preliminary Amendment, and Part 2 Copy of Notice.

The Notice indicates that a Declaration, along with the appropriate late fee, must be submitted in response to the Notice. Applicants respectfully submit that the Declaration was submitted on along with the application on October 9, 2003. A copy of the Declaration and the date-stamped postcard indicating the receipt of the Declaration by the U.S. Patent Office on October 9, 2003 are enclosed herewith. Accordingly, the late fee for submitting the Declaration is not being paid at this time.

Please charge our Deposit Account No. 12-0080 in the amount of \$4,550.00 covering the fee set forth in 37 CFR 1.17(a)(4). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. BIZ-045CPCN. A duplicate copy of this paper is enclosed.

Dated: May 3, 2005

Respectfully submitted,

By 

Cynthia L. Kamk, Ph.D.

Registration No.: 37,320

LAHIVE & COCKFIELD, LLP

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Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant